

**Remarks/Arguments:**

With the present amendment claims 55, 56, 61, 62, 65-77, and 81-89 are pending. New independent method claim 89 has been added.

**Claim rejections**

**Double Patenting Rejection**

In the Office Action, claims 55-88 stand rejected on the ground of nonstatutory obviousness-type double patenting as unpatentable over claims 1-53 of U.S. Patent No. 6,607,551. Applicants herewith submit a Terminal Disclaimer, disclaiming any patent term of the present application beyond that of U.S. Patent No. 6,607,551. Claims 57-60, 63-64, and 78-80 have been cancelled, rendering the rejection of these claims moot. Applicants hereby respectfully request reconsideration and allowance of claims 55, 56, 61, 62, 65-77, and 81-88.

**Rejection under 35 U.S.C. §102**

Claims 55-57, 61-63, 65-70, and 72-88 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,077,295 to Limon et al. ("Limon"). Claims 57, 63, and 78-80 have been canceled, rendering the rejection of these claims moot.

**Rejection of claims 55, 56, 61 and 62**

Claim 55, as amended, recites, *inter alia*, a stabilizer having a stent-underlying portion adapted to be disposed within an interior space defined by an inner periphery of a stent, the stent having a distal end, a proximal end, and a length extending from the distal end to the proximal end, the stabilizer comprising a non-inflatable inner core and one or more members for engaging the stent inner periphery along the length of the stent, wherein the one or more members for engaging the stent inner periphery comprises one or more radial protuberances that protrude from the inner core and lie along the stent-underlying portion of the stabilizer along the length of the stent, *wherein the radial protuberances comprise at least one or more rings about the inner core.*

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Limon fails to disclose or suggest the limitation of radial protuberances comprising *rings* about the inner core. Because Limon fails to disclose or suggest this limitation, Applicants respectfully submit that the rejection of claim 55 is improper. Claims 56, 61, and 62 all depend from claim 55 and are patentable over the cited prior art for at least the same reasons as set for above with respect to amended claim 55. Applicants respectfully request reconsideration and allowance of claims 55, 56, 61, and 62.

#### **Rejection of claims 65-70**

Claim 65 has been amended to recite, *inter alia*, a stabilizer having a stent-underlying portion adapted to be disposed within an interior space defined by an inner periphery of a stent, the stent having a distal end, a proximal end, and a length extending from the distal end to the proximal end, the stabilizer comprising a non-inflatable inner core and one or more members for engaging the stent inner periphery along the length of the stent, wherein one or more members for engaging the stent inner periphery comprises an outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery*.

Limon fails to disclose or suggest an outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery*. On the contrary, Limon's stabilizer is formed by partially filling open lattice structure 29 of a stent 28 with the outer surface 33 of inner member distal end 32. See FIGS. 5 and 6. Limon's structure is formed to intentionally protrude through the interstitial openings in the stent periphery. Because Limon fails to disclose or suggest the feature of the outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery*, Applicants respectfully submit that the rejection of claim 65 is improper and respectfully request reconsideration and allowance of claim 65.

Claims 66-70 all depend from claim 65 and are patentable over the cited prior art for at least the same reasons as set for above with respect to amended claim 65. Applicants respectfully request reconsideration and allowance of claims 66-70.

### **Rejection of claims 72-77**

Claim 72, as amended, recites, *inter alia*, a stent delivery system comprising a stent comprising a proximal end, a distal end, a length between the proximal end and the distal end, and an inner periphery that defines an interior space. The stent is adapted to be radially compressed and loaded within the delivery system for introduction into the body lumen and to be expanded for deployment within the body lumen. A sheath overlies the compressed stent during introduction of the stent within the body lumen. A stabilizer has a stent-underlying portion adapted to be disposed within the interior space of the stent. The stabilizer comprises a non-inflatable inner core and one or more members. Each of the one or more members comprises one or more radial protuberances that protrude from the inner core and lie along the stent-underlying portion of the stabilizer along the length of the stent, *wherein the one or more radial protuberances comprise at least one or more rings about the inner core for engaging the stent inner periphery along the length of the stent.*

As discussed above with respect to claim 55, Limon fails to disclose or suggest the limitation of radial protuberances comprising *rings* about the inner core. Because Limon fails to disclose or suggest this limitation, Applicants respectfully submit that the rejection of claim 72 is improper. Applicants therefore respectfully submit that claim 72 is patentable over the cited prior art. Claims 73-77 all depend from claim 72 and Applicants respectfully submit that claims 73-77 are all patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 72. Reconsideration and allowance of these claims is respectfully requested.

### **Rejection of claim 81**

Claim 81 recites, *inter alia*, a stabilizer having a stent-underlying portion adapted to be disposed within an interior space defined by an inner periphery of a stent. The stent has a distal end, a proximal end, and a length extending from the distal end to the proximal end. The stabilizer comprises a non-inflatable inner core and one or more members for engaging the stent inner periphery along the length of the stent, wherein the one or more members for engaging the stent inner periphery comprises parts of an outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery.*

As discussed above with respect to claim 65, Limon fails to disclose or suggest an outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery*. Because Limon fails to disclose or suggest the feature of the outer surface of the stabilizer adapted to frictionally engage the stent inner periphery along the length of the stent *without protruding through interstitial openings in the stent inner periphery*, Applicants respectfully submit that the rejection of claim 81 is improper and respectfully request reconsideration and allowance of claim 81.

#### **Rejection of claims 82-84**

Claim 82 recites, *inter alia*, a method of manufacturing a stabilizer having a stent-underlying portion adapted to be disposed within an interior space defined by an inner periphery of a stent, the stabilizer comprising an inner core and one or more protuberances that protrude from the inner core for engaging the stent inner periphery, the method comprising forming each protuberance via the steps of providing a radially protruding ring *around an entire periphery of an axial portion of the inner core; removing a peripheral section of the ring*, leaving the protuberance.

Limon fails to disclose or suggest the limitation of providing a radially protruding ring around the core and then removing a peripheral portion of the ring, as is recited in claim 82. Applicants therefore respectfully submit that claim 82 is patentable over the cited prior art. Claims 83 and 84 depend from claim 82 and Applicants respectfully submit that claims 83 and 84 are all patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 82. Reconsideration and allowance of these claims is respectfully requested.

#### **Rejection of claims 85-86**

Claim 85 recites, *inter alia*, a stabilizer for deployment of a stent in a distal location inside a body lumen from a proximal access location outside the body, the stent having a distal end and a proximal end, the stabilizer having a stent-underlying portion adapted to be disposed within an interior space defined by an inner periphery of the stent, the stabilizer comprising a non-inflatable inner core having a first diameter underlying the stent, a proximal shoulder not underlying the stent located adjacent the proximal end of the stent and having a second diameter, and at least one distal protuberance underlying the stent and protruding from the

inner core for engaging the stent inner periphery at a distal end of the stent, *the proximal shoulder extending to a proximal end of the stabilizer.*

Limon fails to disclose or suggest a proximal shoulder extending to a proximal end of the stabilizer. Limon's shoulder (shown at reference numeral 40 in FIG. 7) does not extend to a proximal end of the stabilizer, as is recited in claim 85. Applicants therefore respectfully submit that Limon fails to disclose or suggest all of the features of claim 85, and that claim 85 is patentable over the cited prior art. Claim 86 depends from claim 85 and Applicants respectfully submit that claim 86 is patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 85. Reconsideration and allowance of these claims is respectfully requested.

#### **Rejection of claims 87-88**

Claim 87 recites, *inter alia*, a stent delivery system for deployment of a stent in a distal location inside a body lumen from a proximal access location outside the body, the system comprising a stent comprising a proximal end, a distal end, and an inner periphery that defines an interior space, the stent adapted to be radially compressed and loaded within the delivery system for introduction into the body lumen and to be expanded for deployment within the body lumen. A sheath overlies the compressed stent during introduction of the stent within the body lumen. A stabilizer has a stent-underlying portion adapted to be disposed within the interior space of the stent, the stabilizer comprising a non-inflatable inner core having a first diameter underlying the stent, a proximal shoulder not underlying the stent located adjacent the proximal end of the stent and *extending to a proximal end of the stabilizer*, and having a second diameter, and at least one member underlying the stent and protruding from the inner core for engaging the stent inner periphery at a distal end of the stent.

As recited above with respect to claim 85, Limon fails to disclose or suggest a proximal shoulder extending to a proximal end of the stabilizer. Claim 88 depends from claim 87 and Applicants respectfully submit that claim 88 is patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 87. Reconsideration and allowance of these claims is respectfully requested.

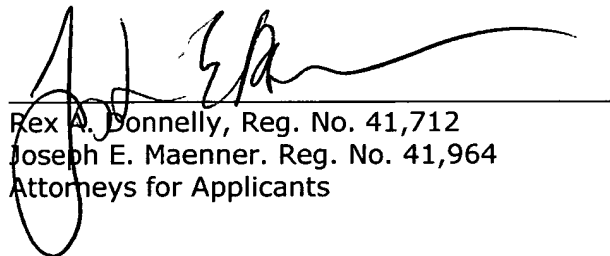
**Rejection under 35 U.S.C. §103**

Claims 58-60, 64, and 71 stand rejected under 35 U.S.C. §103(a) as unpatentable over Limon in view of U.S. Patent No. 5,702,418 to Ravenscroft. Claims 58-60 and 64 have been canceled, rendering the rejection of these claims moot. Claim 71 depends from claim 65, and Applicants respectfully submit that claim 71 is patentable over the cited prior art for at least the same reasons set forth above with respect to claim 65.

**Conclusion**

In light of the above amendments and arguments, Applicants respectfully submit that claims 55, 56, 61, 62, and 65-89 are patentable over the cited prior art. Prompt reconsideration and allowance is respectfully requested.

Respectfully submitted,



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Attachments: Terminal Disclaimer

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